IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5585 OF 2006

Mohamed Habib Khan .. Petitioner.
Vs.
Dilersingh Ajmani & Anr. .. Respondents.

Mr.V.R.Tripathi for the petitioner.

CORAM : D.B.BHOSALE, J.
DATED : 13TH SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the petitioner.

2. Mr.Tripathi, learned counsel for the petitioner states that he has instructions to delete prayer clause (a) in S.C.Suit No.3857/2005 and that he shall file formal application seeking deletion of the prayer before the trial Court. In view of the statement made by the learned counsel for the petitioner this petition is disposed of with liberty to the petitioner to make a formal application before the trial Court seeking deletion of prayer clause (a) in S.C.Suit No.3857/2005 within two weeks from today. The trial Court shall allow the prayer made by the petitioner and shall examine the effect of deletion of the said prayer insofar as valuation of the suit and payment of court fees is concerned and pass fresh order, if necessary. With these obervations the writ petition is disposed of.

(D.B.Bhosale, J.)